THE SPEECH OF THE Lord High Steward, IN WESTMINSTER HALL,

At the time of his
Pronouncing the JUDGMENT
OF THE

Houſe of Peers,

Againſt

The Lord Viſcount *Stafford*,

The Seventh of *December*, 1680.

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My Lord Viſcount Stafford.

THat which your Lordſhip hath ſaid in Arreſt of Judgment, hath been found by my Lords, upon due conſideration had of it, to be of no moment at all. It is no Eſſential part of any Trial, that the Priſoner ſhould hold up his Hand at the Bar; there is no Record ever made of it when it is done; the onely uſe of it is to ſhew the Court who the Priſoner is, and when that is apparent, the Court do's often proceed againſt him, though he refuſe to hold up his Hand at the Bar, therefore the omiſſion of that ceremony in this caſe is no legal Exception, as all the Judges have declared.

And as to the Proviſo's in the Statute of the 13th Year of this King, their Lordſhips do find that they are in no ſort applicable to this caſe, foraſmuch as the Proceedings againſt your Lordſhip are not grounded upon that Statute, but upon the Statute of the 25 *E.* 3. And yet if the Proceedings had been upon the latter, the Proviſo's therein could have done your Lordſhip no ſervice at all.

My part therefore which remains is a very ſad one, for I never yet gave Sentence of Death upon any man, and am extreamly ſorry that I muſt begin with your Lordſhip.

Who would have thought that a Perſon of your Quality, of ſo Noble an Extraction, of ſo conſiderable Eſtate and Fortune, ſo eminent a Sufferer in the late ill Times, ſo Intereſted in the Preſervation of the Government, ſo much obliged to the Moderation of it, and ſo perſonally obliged to the King and His Royal Father for their particular Favours to you, ſhould ever have entred into ſo Infernal a conſpiracy, as to contrive the Murder of the King, the Ruine of the State, the Subverſion of Religion, and as much as in you lay, the Deſtruction of all the Souls and Bodies in three Chriſtian Nations.

And yet the Impeachment of the Houſe of Commons amounts to no leſs a Charge, and of this Charge their Lordſhips have found you Guilty.

That there hath been a General and Deſperate Conſpiracy of the Papiſts, and that the Death of the King hath been all along one chief part of the Conſpirators Deſign, is now apparent beyond all poſſibility of Doubting.

What was the meaning of all thoſe Treatiſes which were Publiſht about two years ſince againſt the Oath of Allegiance, in a time when no man dreamt of ſuch a Controverſie? What was the meaning of Father *Conyers's* Sermon upon the ſame Subject, but onely becauſe there was a Demonſtration of Zeal, as they call it, intended againſt the Perſon of the King? which the ſcruples ariſing from that Oath did ſomewhat hinder.

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To what purpoſe were all the correſpondencies with Foreign Nations? The Collections of Money among the Fathers abroad and at home? What was the meaning of their Governing themſelves here by ſuch Advices as came frequently from *Paris*, and *Saint Omers*? And how ſhall we expound that Letter which came from *Ireland*, to aſſure the Fathers here, that all things were in a readineſs there too, as ſoon as the Blow ſhould be given?

Does any man now begin to doubt how *London* came to be Burnt? Or by what ways and means poor Juſtice *Godfrey* fell? And is it not apparent by theſe inſtances, that ſuch is the frantick Zeal of ſome Biggotted Papiſts, that they reſolve, No means to Advance the *C*atholick Cauſe ſhall be left unattempted, though it be by Fire and Sword?

My Lord, As the *P*lot in General is moſt manifeſt, ſo your Lordſhips part in it hath been too too plain. What you did at *Paris*, and continued to do at *Tixall* in *Staffordſhire* ſhews a ſetled purpoſe of mind againſt the King; and what you ſaid at *London* touching *Honeſt Will*, ſhews you were acquainted with that Conſpiracy againſt the Kings Life which was carrying on here too, And in all this there was a great Degree of Malice; for your Lordſhip at one time called the King Heretick and Traitor to God; and at another time you Revil'd him for miſplacing his Bounty, and rewarding none but Traitors and Rebels.

And thus you ſee that which the *Wiſe man* forewarn'd you of is come upon you, *Curſe not the King, no not in thy heart, for the Birds of the Air ſhall reveal and that which hath Wings will declare the matter.*

Three things I ſhall preſume to recommend [illegible]ration
In the firſt place, Your Lordſhip [illegible]ects how it hath pleaſed God to leave you ſo far to your ſelf, that you are fallen into the Snare, and into the Pit, into that very Pit which you were digging for others. Conſider therefore, that God Almighty never yet left any man, who did not firſt leave Him.

In the next place, Think a little better of it than hitherto you have done, what kind of Religion that is in which the Blind Guides have been able to lead you on into ſo much ruine and deſtruction as is now like to befall you.

*I*n the laſt place, I pray your Lordſhip to conſider, That true Repentance is never to late. A Devout *P*enitential Sorrow, joyn'd with an humble and hearty Confeſſion, is of Mighty power and efficacy both with God and Man,

There have been ſome of late, who have refus'd to give God the Glory of his Juſtice by acknowledging the Crimes for which they were *C*ondemn'd, Nay who have been taught to believe, that 'tis a mortal ſin to *C*onfeſs that *C*rime in Publick, for which they have been Abſolv'd in Private; and ſo have not dar'd to give God that Glory which otherwiſe they would have done.

God forbid your Lordſhip ſhould reſt upon Forms, God forbid your Lordſhip ſhould be found among the number of thoſe poor miſtaken *S*ouls whom the firſt thing that undeceives, is Death it ſelf.

Perhaps your Lordſhip may not much Eſteem the Prayers of thoſe, whom you have long been taught to miſcall Hereticks; But whether you do or no I am to aſſure your Lordſhip, That all my Lords here, even they that have *C*on-

demn'd you, will never ceaſe to pray for you that the End of your life may be Chriſtian and Pious, how Tragical ſoever the Means are that muſt bring you thither.

And now my Lord, this is the laſt time that I can call you My Lord; for the next words I am to ſpeak will Attaint you.

The Judgment of the Law is And the Court doth Award, That

YOu go to the Place from whence you came; from thence you muſt be drawn upon a Hurdle to the Place of Execution, When you come there, you muſt be Hang'd up by the Neck, but not till you are dead; for you muſt be cut down alive; your Privy Members muſt be cut off, and your Bowels ript up before your face, and thrown into the Fire; Then your Head muſt be ſevered from your Body, and your Body divided into four Quarters; and theſe muſt be at the diſpoſal of the King.

And God Almighty be mercifull to your Soul.

After the Sentence pronounced, the Lord High-Steward told the Priſoner, That the Houſe of Lords, in conſideration of his Quality, do intend to move the King to Pardon all the reſt of the Execution of this Sentence, except onely the taking off his Head.